

SENATE BILL No. 139

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-46-17.5.

Synopsis: Psilocybin treatment program. Establishes the therapeutic psilocybin research fund, administered by the Indiana department of health (state department), to provide financial assistance to research institutions in Indiana to study the use of psilocybin to treat mental health and other medical conditions. Sets forth clinical study requirements. Requires a research institution that conducts a clinical study to prepare and submit a report to the interim study committee on public health, behavioral health, and human services, the state department, and the division of mental health and addiction.

Effective: Upon passage.

Charbonneau

January 8, 2024, read first time and referred to Committee on Health and Provider Services.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 139

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-18-2-143, AS AMENDED BY P.L.1-2010,
2 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 143. (a) "Fund", for purposes of IC 16-26-2,
4 has the meaning set forth in IC 16-26-2-2.
5 (b) "Fund", for purposes of IC 16-31-8.5, has the meaning set forth
6 in IC 16-31-8.5-2.
7 (c) "Fund", for purposes of IC 16-41-39.4, refers to the childhood
8 lead poisoning prevention fund established by IC 16-41-39.4-3.1.
9 (d) "Fund", for purposes of IC 16-41-39.8, refers to the lead trust
10 fund established by IC 16-41-39.8-7.
11 (e) "Fund", for purposes of IC 16-46-5, has the meaning set forth in
12 IC 16-46-5-3.
13 (f) "Fund", for purposes of IC 16-46-12, has the meaning set forth
14 in IC 16-46-12-1.
15 (g) "Fund", for purposes of IC 16-41-42.2, has the meaning set forth
16 in IC 16-41-42.2-2.
17 (h) "Fund", for purposes of IC 16-35-8, has the meaning set forth in



1 IC 16-35-8-2.

2 (i) "Fund", for purposes of IC 16-46-17.5, has the meaning set
3 forth in IC 16-46-17.5-1.

4 SECTION 2. IC 16-18-2-296.4 IS ADDED TO THE INDIANA
5 CODE AS A NEW SECTION TO READ AS FOLLOWS
6 [EFFECTIVE UPON PASSAGE]: Sec. 296.4. "Psilocybin", for
7 purposes of IC 16-46-17.5, has the meaning set forth in
8 IC 16-46-17.5-2.

9 SECTION 3. IC 16-46-17.5 IS ADDED TO THE INDIANA CODE
10 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
11 UPON PASSAGE]:

12 **Chapter 17.5. Therapeutic Psilocybin Research**

13 **Sec. 1.** As used in this chapter, "fund" refers to the therapeutic
14 psilocybin research fund established by section 3 of this chapter.

15 **Sec. 2. (a)** As used in this chapter, "psilocybin" means a
16 naturally occurring psychedelic prodrug compound that is
17 produced by fungi, including members of the genus psilocybe.

18 (b) The term includes psilocin.

19 **Sec. 3.** The therapeutic psilocybin research fund is established
20 for the purpose of providing financial assistance to research
21 institutions in Indiana to study, in accordance with the
22 requirements established in section 6 of this chapter, the use of
23 psilocybin to treat mental health and other medical conditions.

24 **Sec. 4. (a)** The fund shall be administered by the state
25 department.

26 (b) The expenses of administering the fund shall be paid from
27 money in the fund.

28 **Sec. 5. (a)** The fund consists of the following:

29 (1) Appropriations from the general assembly.

30 (2) Donations to the fund.

31 (3) Gifts to the fund.

32 (b) The treasurer of state shall invest the money in the fund not
33 currently needed to meet the obligations of the fund in the same
34 manner as other public money may be invested. Interest that
35 accrues from these investments shall be deposited in the fund.

36 (c) Money in the fund at the end of a state fiscal year does not
37 revert to the state general fund.

38 **Sec. 6. (a)** A research institution in Indiana may apply to the
39 state department to receive financial assistance from the fund to
40 conduct one (1) or more clinical studies to evaluate the efficacy of
41 psilocybin as an alternative treatment for mental health and other
42 medical conditions, including the following:



(1) Posttraumatic stress disorder, with a focus on treating the disorder in combat veterans and first responders.

(2) Anxiety.

(3) Depression.

(4) Bipolar disorder.

(5) Chronic pain.

(6) Migraines.

(b) In conducting a clinical study under this section, a research institution shall do the following:

(1) Include veterans and first responders in the study sample.

(2) Evaluate and determine whether psilocybin is an effective treatment for mental health and other medical conditions described in subsection (a).

(3) Compare the efficacy of psilocybin as a treatment for mental health and other medical conditions described in subsection (a) with the efficacy of other current treatment options for mental health and other medical conditions described in subsection (a).

(4) Before entering the study, require each participant to undergo a mental health evaluation.

Sec. 7. After a research institution completes and finalizes a study under this chapter, a research institution shall prepare and submit a report summarizing the results of the study and any recommendations for legislation to the following:

(1) The interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.

(2) The state department.

(3) The division of mental health and addiction.

Sec. 8. Not later than July 1, 2024, the state department shall establish a process to administer the fund and process applications under this chapter.

SECTION 4. An emergency is declared for this act.

